

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re

DELTA AIRLINES, INC..

Debtor.

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ESSEX HOUSE CONDOMINIUM CORPORATION and
MARRIOTT INTERNATIONAL, INC.,

O R D E R

07 Civ. 6844 (NRB)

Appellants,

- against -

DELTA AIRLINES, INC., BANK OF NEW YORK,
et al.,

Appellees.

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

WHEREAS, on July 5, 2007 Essex House Condominium Corporation and Marriot International, Inc., (together the "Appellants") appealed to this court from the Bankruptcy Court's Stipulation and Order Regarding Termination of Period Under Section 1110 of the Bankruptcy Code with Respect to Aircraft N140LL, N681DA, N682DA, N125DL and N126DL (dated June 25, 2007); and

WHEREAS, the appeal was docketed on July 31, and the Clerk of the Court sent counsel for the parties notice by electronic mail indicating the date of the appeal's docketing and that the appellant's brief was due on August 17; and

WHEREAS, according to Fed. R. Bankr. P. 8009(a)(1), appellants had fifteen days to file and serve their appellate

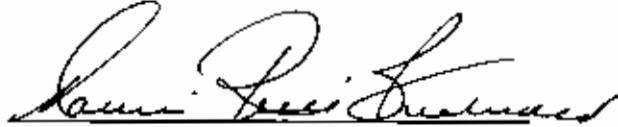
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brief, and the fifteen day period by which an appellant must file a brief pursuant to Rule 8009(a)(1) is "triggered once the appeal has been docketed in the district court and notice of the docketing of the appeal has been sent to all parties." In re Enron Corp., 475 F.3d 131, 134 (2d Cir. 2007); and

WHEREAS, no brief has been filed in this court to date; it is hereby

ORDERED that this bankruptcy appeal is dismissed. The Clerk of the Court shall close the case.

Dated: New York, New York
September 18, 2007


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

Copies of the foregoing Order have been mailed on this date to the following:

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